

SCHEDULES

SCHEDULE 7

COMPULSORY ACQUISITION OF LAND

PART II

LAND OF RELEVANT UNDERTAKERS EXCLUDED FROM COMPULSORY PURCHASE

6. Where—

- (a) an application for a vesting order is made by a person with power to acquire land otherwise than by agreement (other than a relevant undertaker) in respect of land which includes land belonging to a relevant undertaker and used for any purposes of, or in connection with, the carrying out of its functions; and
- (b) that relevant undertaker has made a representation to the department concerned before the expiration of one month from the date of the last publication of the notice mentioned in paragraph 2(a) of Schedule 6 to the Local Government Act (Northern Ireland) 1972 (c. 9),

the department concerned shall not make the vesting order unless the Department has certified—

- (i) that the land can be purchased and not replaced without serious detriment to the carrying on of those functions; or
- (ii) that, if purchased, the land can be replaced by other land belonging to, or available for acquisition by, the relevant undertaker without serious detriment to the carrying on of those functions.